THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2174 of 1995

ORDER:

This writ petition is filed seeking Certiorari to call for the records relating to proceedings dated 22.7.1994 and the consequential notice dated 7.1.1995.

It appears the petitioner joined the Respondent Federation on a consolidated pay. He worked as Salesman at the Secretariat Sales Counter from 15.3.1992. The Sales Counter was under the sole and whole management of the petitioner during the relevant period. He was entirely responsible for the activities and transactions taking place in the said counter. A scheme of sale of rice on credit basis to the Government Servants as well as employees of Undertakings and Corporations was introduced by the RICEFED with the object of providing credit facilities to the employees. According to the scheme, the Pay Drawing Officers/Pay Disbursing Officers used to furnish undertakings agreeing to recover the amounts towards the cost of rice supplied on credit basis from the employees working under their administrative control as per the instalments indicated at the time of disbursement of salary and remit the same to the Head Office of RICEFED in cash through demand drafts or through a special messenger before 7th of every succeeding month. The petitioner while working as Salesman at the Secretariat Sales Counter has issued 22 bags of rice costing Rs.16,960/- to 11 employees of the Government Printing Press, Chenchalguda on the credit sales orders on 24.3.1992, 26.3.1992, 28.3.1992, and 1.4.1992. During the scrutiny of office record, it was found that the said credit sales orders were not issued by the Head Office of RICEFED and some bogus persons claiming to be the employees of Government Printing Press, Chenchalguda with

forged signatures of Section Assistant and authorized officer of RICEFED have directly approached the Secretariat Sales Counter as if the credit sales order was issued by the RICEFED Head Office. The petitioner was called upon to explain as to why disciplinary action should not be initiated for violating the legitimate duties and as to why the entire amount of Rs.16,960/- should not be recovered from him. Though the petitioner submitted his explanation, since it was not satisfactory, a detailed enquiry was conducted and the impugned order came to be passed asking the petitioner to deposit a sum of Rs.16,960/- i.e. loss caused to RICEFED. Aggrieved by the same, he filed the present writ petition.

It is the contention of the petitioner that he was not aware of any note being circulated prohibiting supply of rice to the employees of the Government Printing Press, Chenchalguda and he was also not aware of the coupons with forged signatures.

In fact the enquiry officer found that when the circular was issued earlier prohibiting supply of rice to the employees of Government Printing Press, Chenchalguda, the petitioner was very much aware of the said circular since he was working in the credit sales section itself, therefore, the explanation submitted him was not accepted – rightly so. It was further found that all the (11) coupons are forged signatures and the petitioner being incharge of the sales counter is supposed to verify the facts as to whether they are properly made or not. The petitioner did not do so and during the enquiry, it was found that the petitioner in fact also abetted those forged documents.

In view of the above, since the petitioner was a responsible officer of the sales counter and he did not verify the facts properly and also ignoring the circular issued by the Head Office of RICEFED that no rice should be distributed to the employees of the Government Printing Press, Chenchalguda, I am of the opinion that the respondents have not

committed any error in passing the impugned order. The writ petition is devoid of any merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU, J

Date: 22.8.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2174 of 1995

22.8.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2174 of 1995

Dated: 22nd August, 2006

Between:

Y.Rajagopal Rao

.. Petitioner

and

A.P. State Cooperative Rice Mills Federation Limited, rep. by its Liquidator, Gunfoundry, Hyderabad.

.. Respondents